

Before JUDGE: GLEESON
Docket Number: 05 MDL 1720

DATE: 11/9/2012 TIME: 11:30 AM - 1:00 PM

TITLE: In Re Payment Card Interchange Fee and Merchant Discount et al

Courtroom Deputy: Ilene Lee

CR: Victoria Butler; Marsha Diamond;
Tony Mancuso

APPEARANCES:

FOR PLAINTIFF:

(Please see attached sheet)

FOR PLAINTIFF:

(Please see attached sheet)

FOR DEFENDANT:

✓ CASE CALLED.

COUNSEL FOR _____ NOT PRESENT.

— STATUS CONFERENCE HELD. — PRE-MOTION CONFERENCE HELD. —

CASE MARKED READY FOR JURY TRIAL ON _____ @ _____

PARTIES ADVISE THE COURT THAT THE CASE HAS BEEN SETTLED.

ALL DISCOVERY TO BE COMPLETED BY

✓ Class Plaintiff's MOTION for Class Settlement Preliminary Approval [1656].

BRIEFING SCHEDULE:

Motion due: _____ Opposition/Response due: _____ Replies due: _____

ORAL ARGUMENT/MOTION HEARING HELD Motion GRANTED Motion DENIED

DECISION RESERVE/D **DECISION READ INTO THE RECORD.**

DECISION IS TAKEN UNDER SUBMISSION.

- Objectors arguments were heard by the Court.

- The Class Plaintiff's motion for class settlement preliminary approval is GRANTED by the Court.

- The motion made by Home Depot for the certification for an interlocutory appeal is DENIED by the Court.

- The Court also notifies all parties that it will appoint an expert counsel to advise the Court of issues and rule changes that will arise from this settlement.

**ATTORNEY APPEARANCES FOR THE IN RE VISA/MASTERCARD CHECK CARD
MDL ORAL ARGUMENT**

Date: November 9, 2012

PLAINTIFFS/OBJECTORS:

Todd Anderson, Esq.
Jeffrey I. Shinder, Esq.*
Stephen Neuwirth, Esq.*
Jason Y. Yurasek, Esq.*
Gregory Clarick, Esq.*
Michael Buchman, Esq.
Jeanne Lahiff, Esq.
Ryan Marth, Esq.
Tom Undlin, Esq.
K. Craig Wildfang, Esq.
Bonnie E. Sweeney, Esq.*
Merrill Davidoff, Esq.
H. Laddie Montague, Jr., Esq.*
Michael Kane, Esq.
Patrick Coughlin, Esq.*
Richard Arnold, Esq.*
Linda Nussbaum, Esq.
Paul Slater, Esq.
Philip Korologos, Esq.*
Jay L.T. Breakstone, Esq.

DEFENDANTS:

Richard Creighton, Esq.
Joseph W. Clark, Esq.
Teresa Bonder, Esq.
Wes Powell, Esq.
Ken Gallo, Esq.
Matt Freimuth, Esq.
Mark Ladner, Esq.
Michael Miller, Esq.
Robert Vizas, Esq.
Mark Merley, Esq.
Robert Mason, Esq.
Peter Greene, Esq.
Jim Sulentic, Esq.
David Graham, Esq.
Adam Moccio, Esq.
Andrew Frackman, Esq.
Abby Rudzin, Esq.
Vivian Storm, Esq.
Lisa Dunlop, Esq.
Wayne Dale Collins, Esq.

(* Attorney actually spoke during the argument.)